

REMARKS

All of the claims except claims 60 and 61 have been cancelled.

On page 6 of the action, claims 60 and 61 have been rejected as being

“anticipated by BOLERO (see article I “ELECTRONIC DATA INTERCHANGE” UNITED NATIONS COMMISSION ON INTERNATIONAL TRADE LAW, Working Group on Electronic Data Interchange Thirtieth session, Vienna, 26 February - 8, March 1996 and article II, the “REVIEW OF MARITIME TRANSPORT 1998”, Chapter VI, Trading Transport Efficiency, UNITED NATIONS, New York and Geneva 1998” article.”

However, those publications are dated long after applicant’s priority dates (8 February 1995 and 19 May 1995). Therefore, they do not constitute prior art as a matter of law. That being the case, the rejection of claims 60 and 61 should be withdrawn and those claims allowed.

With regard to the Examiner’s Requirement for Information on pages 2-4 of the action, as noted above, the cited BOLERO publications were published long after applicant’s priority dates and so did not warrant being made of record via an IDS. The “annexed Tedis II B7 document” identified on specification page 9 is of record in the parent PCT application PCT/IB96/00163; see attached PCT Request Box No. VIII (8) “Annex 1 and Annex 2”. We are enclosing those Annexes with an IDS form in response to the Examiner’s requirement. However, as evidenced by the enclosed declaration of applicant,

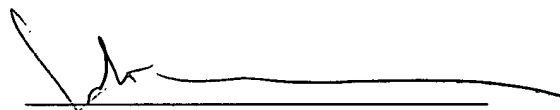
Peter Landrock the author of that document, Tedis II (Annexes 1 and 2) does not constitute prior art. In fact, it was during that European research project the idea was conceived, and nothing about the project was published until after his two GB priority applications had been filed.

As further stated in the Declaration, applicant knows of no use of or publication of the claimed invention prior to his priority dates and, other than the information already of record, information required to be submitted by the Examiner is unknown to or not readily available to applicant; see 37 CFR 1.105(a)(4).

The filing of the attached IDS and Declaration at this time has been necessitated by the Examiner's Requirement for Information and comments therein presented for the first time in the final rejection. If the requirement had been made in an earlier action, this material would have been submitted earlier in the prosecution of the application (37 CFR 1.116(e)).

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,



John F. McKenna
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Current Claims Schedule

1 1-59 (Cancelled).

1 60. (Previously Presented) A method of electronically negotiating an END, sold by a
2 seller to a buyer, in which the buyer splits the END electronically into two or more parts
3 and then negotiates those parts separately to one or more further buyers.

1 61. (Previously Presented) A method according to Claim 60, in which each part is sub-
2 jected to the digital signature of the document carrier hardware of said buyer which ef-
3 fects the splitting.